

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ELECTRONIC CREATIONS CORP.

Plaintiff,

v.

PATRICK SITROK

and

EPF.com, an Internet Domain Name,

Defendants.

Civil Action No. 1:18cv00061 (LMB/JFA)

EP&F Capital PLC

Intervenor-Plaintiff,

v.

PATRICK SITROK

and

ELECTRONIC CREATIONS CORP.

Intervenor-Defendants.

**SUBMISSION OF EP&F CAPITAL PLC IN RESPONSE TO
THE COURT’S NOVEMBER 7, 2018 SHOW CAUSE ORDER**

Intervenor-Plaintiff EP&F Capital PLC (“EP&F”), by counsel, hereby submits its response to this Court’s November 7, 2018 Show Cause Order (Dkt. No. 31) as to why Defendant Patrick Sitrok (“Sitrok”) “should not be dismissed and this action terminated” and states as set forth below.

1. In the Stipulation of Partial Dismissal and Consent to Declaratory Judgment (Dkt. No. 30), the parties stipulated that both counts of EP&F's May 11, 2018 Intervening Complaint seeking a Declaratory Judgment would be dismissed with prejudice. In addition, the Court entered an Order declaring EP&F as the lawful owner of the domain name at issue in this matter and dismissed EP&F's complaint (Dkt. No. 31). Accordingly, EP&F is no longer pursuing any claim against Sitrok.

2. EP&F takes no position on Plaintiff Electronic Creations Corp.'s pursuit of its remaining damage claim against Sitrok.

3. In light of the Stipulation and the Court's Order, EP&F respectfully requests that it not be required to attend the Pretrial Conference presently scheduled for November 15, 2018.

Dated: November 9, 2018

Respectfully submitted,

By: /s/ Haig V. Kalbian
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*Counsel for Intervenor-Plaintiff
EP&F Capital PLC*

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of November 2018, I caused a copy of the foregoing to be served upon Defendant Patrick Sitrok by first class mail, postage prepaid, to:

Patrick Sitrok
14999 Preston Rd.
Dallas, TX 75254

I further certify that on this 9th day of November 2018, a true copy of the foregoing has been electronically filed with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Attison L. Barnes, III (VA Bar No. 30458)
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Electronic Creations Corp.

By: /s/ Haig V. Kalbian
Haig V. Kalbian